

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
DENISE CRUMWELL,

Plaintiff,

-against-

Xponential Fitness, LLC,

Defendant.

ANALISA TORRES, District Judge:

The Court has been advised that all claims asserted herein have been settled in principle. *See* ECF No. 15. Accordingly, the above-entitled action is hereby dismissed and discontinued without costs, without prejudice to the right to reopen the action within thirty days of the date of this Order if the settlement is not consummated, and with prejudice following the thirty-day period.

Any application to reopen must be filed within thirty days of this Order; any application to reopen filed thereafter may be denied solely on that basis. Further, if the parties wish for the Court to retain jurisdiction for the purposes of enforcing any settlement agreement, they must submit the settlement agreement to the Court within the same thirty-day period to be so-ordered by the Court. Per Rule IV(C) of the Court's Individual Practices in Civil Cases, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record.

Any pending motions are moot. All conferences are vacated. The Clerk of Court is directed to delete "on behalf of herself and all other persons similarly situated" from the caption. The Clerk of Court is further directed to close the case.

SO ORDERED.

Dated: October 10, 2023
New York, New York

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 10/10/2023

23 Civ. 5674 (AT)

ORDER



ANALISA TORRES
United States District Judge